

1 **SECTION 71.** 77.54 (2) of the statutes is amended to read:

2 77.54 (2) The ~~gross receipts~~ sales price from sales of and the storage, use or
3 other consumption of tangible personal property becoming an ingredient or
4 component part of an article of tangible personal property or which is consumed or
5 destroyed or loses its identity in the manufacture of tangible personal property in
6 any form destined for sale, but this exemption shall not include fuel or electricity.

7 **SECTION 72.** 77.54 (2m) of the statutes is amended to read:

8 77.54 (2m) The ~~gross receipts~~ sales price from the sales of and the storage, use
9 or other consumption of tangible personal property or services that become an
10 ingredient or component of shoppers guides, newspapers or periodicals or that are
11 consumed or lose their identity in the manufacture of shoppers guides, newspapers
12 or periodicals, whether or not the shoppers guides, newspapers or periodicals are
13 transferred without charge to the recipient. In this subsection, “shoppers guides”,
14 “newspapers” and “periodicals” have the meanings under sub. (15). The exemption
15 under this subdivision does not apply to advertising supplements that are not
16 newspapers.

17 **SECTION 73.** 77.54 (3) (a) of the statutes is amended to read:

18 77.54 (3) (a) The ~~gross receipts~~ sales price from the sales of and the storage, use
19 or other consumption of tractors and machines, including accessories, attachments
20 and parts therefor, used exclusively and directly in the business of farming, including
21 dairy farming, agriculture, horticulture, floriculture and custom farming services,
22 but excluding automobiles, trucks, and other motor vehicles for highway use;
23 excluding personal property that is attached to, fastened to, connected to or built into
24 real property or that becomes an addition to, component of or capital improvement
25 of real property and excluding tangible personal property used or consumed in the

1 erection of buildings or in the alteration, repair or improvement of real property,
2 regardless of any contribution that that personal property makes to the production
3 process in that building or real property and regardless of the extent to which that
4 personal property functions as a machine.

5 **SECTION 74.** 77.54 (3m) (intro.) of the statutes is amended to read:

6 77.54 (3m) (intro.) The ~~gross receipts~~ sales price from the sale of and the
7 storage, use or other consumption of the following items if they are used exclusively
8 by the purchaser or user in the business of farming; including dairy farming,
9 agriculture, horticulture, floriculture and custom farming services:

10 **SECTION 75.** 77.54 (4) of the statutes is amended to read:

11 77.54 (4) ~~Gross receipts~~ The sales price from the sale of tangible personal
12 property, and the storage, use or other consumption in this state of tangible personal
13 property which is the subject of any such sale, by any elementary school or secondary
14 school, exempted as such from payment of income or franchise tax under ch. 71,
15 whether public or private.

16 **SECTION 76.** 77.54 (5) (intro.) of the statutes is amended to read:

17 77.54 (5) (intro.) The ~~gross receipts~~ sales price from the sale of and the storage,
18 use or other consumption of:

19 **SECTION 77.** 77.54 (6) (intro.) of the statutes is amended to read:

20 77.54 (6) (intro.) The ~~gross receipts~~ sales price from the sale of and the storage,
21 use or other consumption of:

22 **SECTION 78.** 77.54 (8) of the statutes is amended to read:

23 77.54 (8) Charges for ~~interest, financing or~~ insurance where such charges are
24 separately set forth upon the invoice given by the seller to the purchaser.

25 **SECTION 79.** 77.54 (9) of the statutes is amended to read:

1 77.54 (9) The ~~gross receipts~~ sales price from sales of tickets or admissions to
2 public and private elementary and secondary school activities, where the entire net
3 proceeds therefrom are expended for educational, religious or charitable purposes.

4 **SECTION 80.** 77.54 (9a) (intro.) of the statutes is amended to read:

5 77.54 (9a) (intro.) The ~~gross receipts~~ sales price from sales to, and the storage
6 by, use by or other consumption of tangible personal property and taxable services
7 by:

8 **SECTION 81.** 77.54 (10) of the statutes is amended to read:

9 77.54 (10) The ~~gross receipts~~ sales price from the sale of all admission fees,
10 admission stickers or camping fees under s. 27.01 (7) to (11) and all admission fees
11 to any museum operated by a nonprofit corporation under a lease agreement with
12 the state historical society.

13 **SECTION 82.** 77.54 (11) of the statutes is amended to read:

14 77.54 (11) The ~~gross receipts~~ sales price from the sales of and the storage, use
15 or other consumption in this state of motor vehicle fuel, general aviation fuel or
16 alternate fuel, subject to taxation under ch. 78, unless the motor vehicle fuel or
17 alternate fuel tax is refunded under s. 78.75 because the buyer does not use the fuel
18 in operating a motor vehicle upon the public highways.

19 **SECTION 83.** 77.54 (12) of the statutes is amended to read:

20 77.54 (12) The ~~gross receipts~~ sales price from the sales of and the storage, use
21 or other consumption in this state of rail freight or passenger cars, locomotives or
22 other rolling stock used in railroad operations, or accessories, attachments, parts,
23 lubricants or fuel therefor.

24 **SECTION 84.** 77.54 (13) of the statutes is amended to read:

1 77.54 (13) The ~~gross receipts~~ sales price from the sales of and the storage, use
2 or other consumption in this state of commercial vessels and barges of 50-ton burden
3 or over primarily engaged in interstate or foreign commerce or commercial fishing,
4 and the accessories, attachments, parts and fuel therefor.

5 **SECTION 85.** 77.54 (14) (intro.) of the statutes is amended to read:

6 77.54 (14) (intro.) The gross receipts from the sales of and the storage, use, or
7 other consumption in this state of ~~medicines~~ drugs that are any of the following:

8 **SECTION 86.** 77.54 (14) (a) of the statutes is amended to read:

9 77.54 (14) (a) Prescribed for the treatment of a human being by a person
10 authorized to prescribe the ~~medicines~~ drugs, and dispensed on prescription filled by
11 a registered pharmacist in accordance with law.

12 **SECTION 87.** 77.54 (14) (b) of the statutes is amended to read:

13 77.54 (14) (b) Furnished by a licensed physician, surgeon, podiatrist, or dentist
14 to a patient who is a human being for treatment of the patient.

15 **SECTION 88.** 77.54 (14) (f) of the statutes is amended to read:

16 77.54 (14) (f) Furnished without charge to a physician, surgeon, nurse
17 anesthetist, advanced practice nurse, osteopath, dentist who is licensed under ch.
18 447, podiatrist who is licensed under ch. 448, or optometrist who is licensed under
19 ch. 449 if the ~~medicine~~ drug may not be dispensed without a prescription.

20 **SECTION 89.** 77.54 (14g) of the statutes is repealed.

21 **SECTION 90.** 77.54 (14s) of the statutes is repealed.

22 **SECTION 91.** 77.54 (15) of the statutes is amended to read:

23 77.54 (15) The ~~gross receipts~~ sales price from the sale of and the storage, use
24 or other consumption of all newspapers, of periodicals sold by subscription and
25 regularly issued at average intervals not exceeding 3 months, or issued at average

1 intervals not exceeding 6 months by an educational association or corporation sales
2 to which are exempt under sub. (9a) (f), of controlled circulation publications sold to
3 commercial publishers for distribution without charge or mainly without charge or
4 regularly distributed by or on behalf of publishers without charge or mainly without
5 charge to the recipient and of shoppers guides which distribute no less than 48 issues
6 in a 12-month period. In this subsection, “shoppers guide” means a community
7 publication delivered, or attempted to be delivered, to most of the households in its
8 coverage area without a required subscription fee, which advertises a broad range
9 of products and services offered by several types of businesses and individuals. In
10 this subsection, “controlled circulation publication” means a publication that has at
11 least 24 pages, is issued at regular intervals not exceeding 3 months, that devotes
12 not more than 75% of its pages to advertising and that is not conducted as an
13 auxiliary to, and essentially for the advancement of, the main business or calling of
14 the person that owns and controls it.

15 **SECTION 92.** 77.54 (16) of the statutes is amended to read:

16 77.54 (16) The ~~gross receipts~~ sales price from the sale of and the storage, use
17 or other consumption of fire trucks and fire fighting equipment, including
18 accessories, attachments, parts and supplies therefor, sold to volunteer fire
19 departments.

20 **SECTION 93.** 77.54 (17) of the statutes is amended to read:

21 77.54 (17) The ~~gross receipts~~ sales price from the sales of and the storage, use
22 or other consumption of water when delivered through mains.

23 **SECTION 94.** 77.54 (18) of the statutes is amended to read:

24 77.54 (18) When the sale, lease or rental of a service or property that was
25 previously exempt or not taxable under this subchapter becomes taxable, and the

1 service or property is furnished under a written contract by which the seller is
2 unconditionally obligated to provide the service or property for the amount fixed
3 under the contract, the seller is exempt from sales or use tax on the ~~gross receipts~~
4 sales price for services or property provided until the contract is terminated,
5 extended, renewed or modified. However, from the time the service or property
6 becomes taxable until the contract is terminated, extended, renewed or modified the
7 user is subject to use tax, measured by the sales purchase price, on the service or
8 property purchased under the contract.

9 SECTION 95. 77.54 (20) of the statutes is repealed.

10 SECTION 96. 77.54 (20m) of the statutes is repealed.

11 SECTION 97. 77.54 (20n) of the statutes is created to read:

12 77.54 (20n) (a) The sales price from the sale of and the storage, use, or other
13 consumption of food and food ingredients, except candy, soft drinks, dietary
14 supplements, and prepared food.

15 (b) The sales price from the sale of and the storage, use, or other consumption
16 of prepared food sold by hospitals, sanatoriums, nursing homes, retirement homes,
17 community-based residential facilities, as defined in s. 50.01 (1g), or day care centers
18 registered under ch. 48, including prepared food that is sold to the elderly or
19 handicapped by persons providing mobile meals on wheels. In this paragraph,
20 “retirement home” means a nonprofit residential facility where 3 or more unrelated
21 adults or their spouses have their principal residence and where support services,
22 including meals from a common kitchen, are available to residents.

23 (c) The sales price from the sale of and the storage, use, or other consumption
24 of food and food ingredients, furnished in accordance with any contract or agreement
25 or paid for to such institution through the use of an account of such institution, by

1 a public or private institution of higher education to an undergraduate student, a
2 graduate student, or a student enrolled in a professional school if the student is
3 enrolled for credit at that institution and if the food and food ingredients are
4 consumed by that student.

5 (d) The sales price from the sale of and the storage, use, or other consumption
6 of food and food ingredients furnished to a national football league team under a
7 contract or agreement.

8 **SECTION 98.** 77.54 (21) of the statutes is amended to read:

9 77.54 (21) The ~~gross receipts~~ sales price from the sales of and the storage, use
10 or other consumption of caskets and burial vaults for human remains.

11 **SECTION 99.** 77.54 (22) of the statutes is repealed.

12 **SECTION 100.** 77.54 (22b) of the statutes is created to read:

13 77.54 (22b) The sales price from the sale of and the storage, use, or other
14 consumption of durable medical equipment, mobility-enhancing equipment, and
15 prosthetic devices.

16 **SECTION 101.** 77.54 (23m) of the statutes is amended to read:

17 77.54 (23m) The ~~gross receipts~~ sales price from the sale, lease or rental of or
18 the storage, use or other consumption of motion picture film or tape, and advertising
19 materials related thereto, sold, leased or rented to a motion picture theater or radio
20 or television station.

21 **SECTION 102.** 77.54 (25) of the statutes is amended to read:

22 77.54 (25) The ~~gross receipts~~ sales price from the sale of and the storage of
23 printed material which is designed to advertise and promote the sale of merchandise,
24 or to advertise the services of individual business firms, which printed material is

1 purchased and stored for the purpose of subsequently transporting it outside the
2 state by the purchaser for use thereafter solely outside the state.

3 SECTION 103. 77.54 (26) of the statutes is amended to read:

4 77.54 (26) The ~~gross receipts~~ sales price from the sales of and the storage, use,
5 or other consumption of tangible personal property which becomes a component part
6 of an industrial waste treatment facility that is exempt under s. 70.11 (21) (a) or that
7 would be exempt under s. 70.11 (21) (a) if the property were taxable under ch. 70, or
8 tangible personal property which becomes a component part of a waste treatment
9 facility of this state or any agency thereof, or any political subdivision of the state or
10 agency thereof as provided in s. 40.02 (28). The exemption includes replacement
11 parts therefor, and also applies to chemicals and supplies used or consumed in
12 operating a waste treatment facility and to purchases of tangible personal property
13 made by construction contractors who transfer such property to their customers in
14 fulfillment of a real property construction activity. This exemption does not apply
15 to tangible personal property installed in fulfillment of a written construction
16 contract entered into, or a formal written bid made, prior to July 31, 1975.

17 SECTION 104. 77.54 (26m) of the statutes is amended to read:

18 77.54 (26m) The ~~gross receipts~~ sales price from the sale of and the storage, use
19 or other consumption of waste reduction or recycling machinery and equipment,
20 including parts therefor, exclusively and directly used for waste reduction or
21 recycling activities which reduce the amount of solid waste generated, reuse solid
22 waste, recycle solid waste, compost solid waste or recover energy from solid waste.
23 The exemption applies even though an economically useful end product results from
24 the use of the machinery and equipment. For the purposes of this subsection, "solid
25 waste" means garbage, refuse, sludge or other materials or articles, whether these

1 materials or articles are discarded or purchased, including solid, semisolid, liquid or
2 contained gaseous materials or articles resulting from industrial, commercial,
3 mining or agricultural operations or from domestic use or from public service
4 activities.

5 **SECTION 105.** 77.54 (27) of the statutes is amended to read:

6 77.54 (27) The ~~gross receipts~~ sales price from the sale of semen used for
7 artificial insemination of livestock.

8 **SECTION 106.** 77.54 (28) of the statutes is repealed.

9 **SECTION 107.** 77.54 (29) of the statutes is amended to read:

10 77.54 (29) The ~~gross receipts~~ sales price from the sales of and the storage, use
11 or other consumption of equipment used in the production of maple syrup.

12 **SECTION 108.** 77.54 (30) (a) (intro.) of the statutes is amended to read:

13 77.54 (30) (a) (intro.) The ~~gross receipts~~ sales price from the sale of:

14 **SECTION 109.** 77.54 (30) (c) of the statutes is amended to read:

15 77.54 (30) (c) If fuel or electricity is sold partly for a use exempt under this
16 subsection and partly for a use which is not exempt under this subsection, no tax
17 shall be collected on that percentage of the ~~gross receipts~~ sales price equal to the
18 percentage of the fuel or electricity which is used for an exempt use, as specified in
19 an exemption certificate provided by the purchaser to the seller.

20 **SECTION 110.** 77.54 (31) of the statutes is amended to read:

21 77.54 (31) The ~~gross receipts~~ sales price from the sale of and the storage, use
22 or other consumption in this state, but not the lease or rental, of used mobile homes
23 that are primary housing units under s. 340.01 (29).

24 **SECTION 111.** 77.54 (32) of the statutes is amended to read:

1 77.54 (32) The ~~gross receipts~~ sales price from charges, including charges for a
2 search, imposed by an authority, as defined in s. 19.32 (1), for copies of a public record
3 that a person may examine and use under s. 16.61 (12) or for copies of a record under
4 s. 19.35 (1).

5 **SECTION 112.** 77.54 (33) of the statutes is amended to read:

6 77.54 (33) The ~~gross receipts~~ sales price from sales of and the storage, use or
7 other consumption of ~~medicines~~ drugs used on farm livestock, not including
8 workstock.

9 **SECTION 113.** 77.54 (34) of the statutes is amended to read:

10 77.54 (34) The ~~gross receipts~~ sales price from the sale of and the storage, use
11 or other consumption of milk house supplies used exclusively in producing and
12 handling milk on dairy farms.

13 **SECTION 114.** 77.54 (35) of the statutes is amended to read:

14 77.54 (35) The ~~gross receipts~~ sales price from the sales of tangible personal
15 property, tickets or admissions by any baseball team affiliated with the Wisconsin
16 Department of American Legion baseball.

17 **SECTION 115.** 77.54 (36) of the statutes is amended to read:

18 77.54 (36) The ~~gross receipts~~ sales price from the rental for a continuous period
19 of one month or more of a mobile home, as defined in s. 66.0435 (1) (d), that is used
20 as a residence. In this subsection, "one month" means a calendar month or 30 days,
21 whichever is less, counting the first day of the rental and not counting the last day
22 of the rental.

23 **SECTION 116.** 77.54 (37) of the statutes is amended to read:

24 77.54 (37) The ~~gross receipts~~ sales price from revenues collected under s.
25 146.70 (3).

1 **SECTION 117.** 77.54 (38) of the statutes is amended to read:

2 77.54 (38) The ~~gross receipts~~ sales price from the sale of and the storage, use
3 or other consumption of snowmobile trail groomers and attachments for them that
4 are purchased, stored, used or consumed by a snowmobile club that meets at least
5 3 times a year, that has at least 10 members, that promotes snowmobiling and that
6 participates in the department of natural resources' snowmobile program under s.
7 350.12 (4) (b).

8 **SECTION 118.** 77.54 (39) of the statutes is amended to read:

9 77.54 (39) The ~~gross receipts~~ sales price from the sale of and the storage, use
10 or other consumption of off-highway, heavy mechanical equipment such as feller
11 bunchers, slashers, delimbers, chippers, hydraulic loaders, loaders,
12 skidder-forwarders, skidders, timber wagons and tractors used exclusively and
13 directly in the harvesting or processing of raw timber products in the field by a person
14 in the logging business. In this subsection, "heavy mechanical equipment" does not
15 include hand tools such as axes, chains, chain saws and wedges.

16 **SECTION 119.** 77.54 (40) of the statutes is repealed.

17 **SECTION 120.** 77.54 (41) of the statutes is amended to read:

18 77.54 (41) The ~~gross receipts~~ sales price from the sale of building materials,
19 supplies and equipment to; and the storage, use or other consumption of those kinds
20 of property by; owners, contractors, subcontractors or builders if that property is
21 acquired solely for or used solely in, the construction, renovation or development of
22 property that would be exempt under s. 70.11 (36).

23 **SECTION 121.** 77.54 (42) of the statutes is amended to read:

1 77.54 (42) The ~~gross receipts~~ sales price from the sale of and the storage, use
2 or other consumption of animal identification tags provided under s. 93.06 (1h) and
3 standard samples provided under s. 93.06 (1s).

4 **SECTION 122.** 77.54 (43) of the statutes is amended to read:

5 77.54 (43) The ~~gross receipts~~ sales price from the sale of and the storage, use
6 or other consumption of raw materials used for the processing, fabricating or
7 manufacturing of, or the attaching to or incorporating into, printed materials that
8 are transported and used solely outside this state.

9 **SECTION 123.** 77.54 (44) of the statutes is amended to read:

10 77.54 (44) The ~~gross receipts~~ sales price from the collection of public benefits
11 fees that are charged under s. 16.957 (4) (a) or (5) (a).

12 **SECTION 124.** 77.54 (45) of the statutes is amended to read:

13 77.54 (45) The ~~gross receipts~~ sales price from the sale of and the use or other
14 consumption of a onetime license or similar right to purchase admission to
15 professional football games at a football stadium, as defined in s. 229.821 (6), that
16 is granted by a municipality; a local professional football stadium district; or a
17 professional football team or related party, as defined in s. 229.821 (12); if the person
18 who buys the license or right is entitled, at the time the license or right is transferred
19 to the person, to purchase admission to at least 3 professional football games in this
20 state during one football season.

21 **SECTION 125.** 77.54 (46) of the statutes is amended to read:

22 77.54 (46) The ~~gross receipts~~ sales price from the sale of and the storage, use,
23 or other consumption of the U.S. flag or the state flag. This subsection does not apply
24 to a representation of the U.S. flag or the state flag.

25 **SECTION 126.** 77.54 (46m) of the statutes is amended to read:

1 77.54 (46m) The ~~gross receipts~~ sales price from the sale of and the storage, use,
2 or other consumption of telecommunications services, if the telecommunications
3 services are obtained by using the rights to purchase telecommunications services,
4 including purchasing reauthorization numbers, by paying in advance and by using
5 an access number and authorization code; and if the tax imposed under s. 77.52 or
6 77.53 was previously paid on the sale or purchase of such rights.

7 SECTION 127. 77.55 (1) (intro.) of the statutes is amended to read:

8 77.55 (1) (intro.) There are is exempted from the computation of the amount
9 of the sales tax the ~~gross receipts~~ sales price from the sale of any tangible personal
10 property or services to:

11 SECTION 128. 77.55 (2) of the statutes is amended to read:

12 77.55 (2) There are is exempted from the computation of the amount of the sales
13 tax the ~~gross receipts~~ sales price from sales of tangible personal property to a
14 common or contract carrier, shipped by the seller via the purchasing carrier under
15 a bill of lading whether the freight is paid in advance, or the shipment is made freight
16 charges collect, to a point outside this state and the property is actually transported
17 to the out-of-state destination for use by the carrier in the conduct of its business
18 as a carrier.

19 SECTION 129. 77.55 (2m) of the statutes is amended to read:

20 77.55 (2m) There are is exempted from the computation of the amount of sales
21 tax the ~~gross receipts~~ sales price from sales of railroad crossties to a common or
22 contract carrier, shipped wholly or in part by way of the purchasing carrier under a
23 bill of lading, whether the freight is paid in advance or the shipment is made freight
24 charges collect, to a point outside this state if the property is transported to the
25 out-of-state destination for use by the carrier in the conduct of its business as a

1 carrier. Interruption of the shipment for storage, drying, processing or creosoting of
2 the railroad crossties in this state does not invalidate the exemption under this
3 subsection.

4 **SECTION 130.** 77.55 (3) of the statutes is amended to read:

5 77.55 (3) There ~~are~~ is exempted from the computation of the amount of the sales
6 tax the ~~gross receipts~~ sales price from sales of tangible personal property purchased
7 for use solely outside this state and delivered to a forwarding agent, export packer,
8 or other person engaged in the business of preparing goods for export or arranging
9 for their exportation, and actually delivered to a port outside the continental limits
10 of the United States prior to making any use thereof.

11 **SECTION 131.** 77.56 (1) of the statutes is amended to read:

12 77.56 (1) The storage, use or other consumption in this state of property, the
13 ~~gross receipts~~ sales price from the sale of which ~~are~~ is reported to the department in
14 the measure of the sales tax, is exempted from the use tax.

15 **SECTION 132.** 77.57 of the statutes is amended to read:

16 **77.57 Liability of purchaser.** If a purchaser certifies in writing to a seller
17 that the property purchased will be used in a manner or for a purpose entitling the
18 seller to regard the gross receipts from the sale as exempted by this subchapter from
19 the computation of the amount of the sales tax and uses the property in some other
20 manner or for some other purpose, the purchaser is liable for payment of the sales
21 tax. The tax shall be measured by the sales price of the property to the purchaser,
22 ~~but if the taxable use first occurs more than 6 months after the sale to the purchaser,~~
23 ~~the purchaser may use as the measure of the tax either that sales price or the fair~~
24 ~~market value of the property at the time the taxable use first occurs.~~ This subsection
25 does not apply to candy, soft drinks, and prepared food; or to disposable products that

1 are transferred with candy, soft drinks, and prepared food; that a restaurant
2 provides to the restaurant's employees during the work hours of the employees.

3 **SECTION 133.** 77.58 (3) (b) of the statutes is amended to read:

4 77.58 (3) (b) For purposes of the sales tax the return shall show the gross
5 ~~receipts~~ sales price of the seller during the preceding reporting period. For purposes
6 of the use tax, in case of a return filed by a retailer, the return shall show the total
7 sales purchase price of the property or taxable services sold, the storage, use or
8 consumption of which became subject to the use tax during the preceding reporting
9 period. In case of a sales or use tax return filed by a purchaser, the return shall show
10 the total sales purchase price of the property and taxable services purchased, the
11 storage, use or consumption of which became subject to the use tax during the
12 preceding reporting period. The return shall also show the amount of the taxes for
13 the period covered by the return and such other information as the department
14 deems necessary for the proper administration of this subchapter.

15 **SECTION 134.** 77.58 (6) of the statutes is amended to read:

16 77.58 (6) For the purposes of the sales tax ~~gross receipts~~, the sales price from
17 rentals or leases of tangible personal property shall be reported and the tax paid in
18 accordance with such rules as the department prescribes.

19 **SECTION 135.** 77.58 (6m) of the statutes is created to read:

20 77.58 (6m) The department may, in cases where it is satisfied that an undue
21 hardship would otherwise result, permit the reporting of a sales price or purchase
22 price on some basis other than the accrual basis.

23 **SECTION 136.** 77.585 of the statutes is created to read:

24 **77.585 Return adjustments.** (1) In this section, "bad debt" means the
25 portion of the sales price or purchase price that the seller has reported as taxable

1 under this subchapter and that the seller may claim as a deduction under section 166
2 of the Internal Revenue Code. "Bad debt" does not include financing charges or
3 interest, sales or use taxes imposed on the sales price or purchase price, uncollectible
4 amounts on property that remains in the seller's possession until the full sales price
5 or purchase price is paid, expenses incurred in attempting to collect any debt, debts
6 sold or assigned to 3rd parties for collection, and repossessed property.

7 (2) A seller may claim as a deduction on a return under s. 77.58 the amount
8 of any bad debt that the seller writes off as uncollectible in the seller's books and
9 records and that is eligible to be deducted as bad debt for federal income tax purposes,
10 regardless of whether the seller is required to file a federal income tax return. A
11 seller who claims a deduction under this subsection shall claim the deduction on the
12 return under s. 77.58 that is submitted for the period in which the seller writes off
13 the amount of the deduction as uncollectible in the seller's books and records and in
14 which such amount is eligible to be deducted as bad debt for federal income tax
15 purposes. If the seller subsequently collects in whole or in part any bad debt for
16 which a deduction is claimed under this subsection, the seller shall include the
17 amount collected in the return filed for the period in which the amount is collected
18 and shall pay the tax with the return.

19 (3) For purposes of computing a bad debt deduction or reporting a payment
20 received on a previously claimed bad debt, any payment made on a debt or on an
21 account is applied first to the price of the property or service sold, and the
22 proportionate share of the sales tax on that property or service, and then to interest,
23 service charges, and other charges related to the sale.

24 (4) A seller may obtain a refund of the tax collected on any bad debt amount
25 deducted under sub. (2) that exceeds the amount of the seller's taxable sales as

1 provided under s. 77.59 (4), except that the period for making a claim as determined
2 under s. 77.59 (4) begins on the date on which the return on which the bad debt could
3 be claimed would have been required to be submitted to the department under s.
4 77.58.

5 (5) If a seller is using a certified service provider, the certified service provider
6 may claim a bad debt deduction under this section on the seller's behalf if the seller
7 has not claimed and will not claim the same deduction. A certified service provider
8 who receives a bad debt deduction under this section shall credit that deduction to
9 the seller and a certified service provider who receives a refund under this section
10 shall submit that refund to the seller.

11 (6) If a lessor of tangible personal property has reimbursed the vendor for the
12 sales tax on the sale of the property by the vendor to the lessor, the tax due from the
13 lessor on the rental receipts may be offset by a credit equal to the tax otherwise due
14 on the rental receipts from the property for the reporting period. The credit shall
15 expire when the cumulative rental receipts equal the sales price upon which the
16 vendor paid sales taxes to this state.

17 (7) If a purchaser of tangible personal property has reimbursed the vendor of
18 the property for the sales tax on the sale and subsequently, before making any use
19 of the property other than retention, demonstration, or display while holding it for
20 sale or rental, makes a taxable sale of the property, the tax due on the taxable sale
21 may be offset by the tax reimbursed.

22 (8) A seller may claim a deduction on any part of the sales price or purchase
23 price that the seller refunds in cash or credit as a result of returned property or
24 adjustments in the sales price or purchase price after the sale has been completed,
25 if the seller has included the refunded price in a prior return made by the seller and

1 has paid the tax on such price, and if the seller has returned to the purchaser in cash
2 or in credit all tax previously paid by the purchaser on the amount of the refund at
3 the time of the purchase. A deduction under this subsection shall be claimed on the
4 return for the period in which the refund is paid.

5 **SECTION 137.** 77.59 (2m) of the statutes is created to read:

6 77.59 (2m) The department may audit, or may authorize others to audit, sellers
7 and certified service providers who are registered with the department pursuant to
8 the agreement, as defined in s. 77.65 (2) (a).

9 **SECTION 138.** 77.59 (9) of the statutes is amended to read:

10 77.59 (9) If any person fails to file a return, the department shall make an
11 estimate of the amount of the ~~gross receipts~~ sales price of the ~~person~~ person's sales,
12 or, as the case may be, of the amount of the total sales purchase price of tangible
13 personal property or taxable service sold or purchased by the person, the sale by or
14 the storage, use or other consumption of which in this state is subject to sales or use
15 tax. The estimate shall be made for the period in respect to which the person failed
16 to make a return and shall be based upon any information which is in the
17 department's possession or may come into its possession. Upon the basis of this
18 estimate the department shall compute and determine the amount required to be
19 paid to the state, adding to the sum thus arrived at a penalty equal to 25% thereof.
20 One or more such determinations may be made for one or for more than one period.
21 When a business is discontinued a determination may be made at any time
22 thereafter, within the periods specified in sub. (3), as to liability arising out of that
23 business.

24 **SECTION 139.** 77.59 (9n) of the statutes is created to read:

1 77.59 (9n) No seller or certified service provider is liable for any deficiency or
2 refund under this subchapter that is the result of the seller or certified service
3 provider relying on erroneous information contained in a database maintained
4 under s. 73.03 (59) (d) or (e).

5 **SECTION 140.** 77.59 (9p) (b) of the statutes is created to read:

6 77.59 (9p) (b) If a customer purchases a service that is not subject to 4 USC 116
7 to 126, as amended by P.L. 106–252, or tangible personal property, and if the
8 customer believes that the amount of the tax assessed for the sale of the service or
9 property under this subchapter is erroneous, the customer may request that the
10 seller correct the alleged error by sending a written notice to the seller. The notice
11 shall include a description of the alleged error and any other information that the
12 seller reasonably requires to process the request. Within 60 days from the date that
13 a seller receives a request under this paragraph, the seller shall review its records
14 to determine the validity of the customer's claim. If the review indicates that there
15 is no error as alleged, the seller shall explain the findings of the review in writing to
16 the customer. If the review indicates that there is an error as alleged, the seller shall
17 correct the error and shall refund the amount of any tax collected erroneously, along
18 with the related interest, as a result of the error from the customer, consistent with
19 s. 77.59 (4). A customer may take no other action, or commence any action, to correct
20 an alleged error in the amount of the tax assessed under this subchapter on a service
21 that is not subject to 4 USC 116 to 126, as amended by P.L. 106–252, or tangible
22 personal property, unless the customer has exhausted his or her remedies under this
23 paragraph.

24 **SECTION 141.** 77.59 (9r) of the statutes is created to read:

1 77.59 (9r) With regard to a purchaser's request for a refund under this section,
2 a seller is presumed to have reasonable business practices if the seller uses a certified
3 service provider, a certified automated system, as defined in s. 77.524 (1) (a), or a
4 proprietary system certified by the department to collect the taxes imposed under
5 this subchapter or if the seller has collected and remitted to the department all taxes
6 imposed under this subchapter, less any deductions, credits, or allowances.

7 **SECTION 142.** 77.60 (13) of the statutes is created to read:

8 77.60 (13) A person who uses any of the following documents in a manner that
9 is prohibited by or inconsistent with this subchapter, or provides incorrect
10 information to a seller or certified service provider related to the use of such
11 documents or regarding an exemption to the taxes imposed under this subchapter,
12 shall pay a penalty of \$250 for each invoice or bill of sale related to the prohibited or
13 inconsistent use or incorrect information:

14 (a) An exemption certificate described under s. 77.52 (13).

15 (b) A direct pay permit under s. 77.52 (17m).

16 (c) A direct mail form, as defined in s. 77.522 (1) (a) 1.

17 (d) An ~~multiple-points-of-use~~ exemption form, as defined in s. 77.522 (1) (a)

18 2.

19 **SECTION 143.** 77.61 (1) (a) of the statutes is renumbered 77.61 (1) (am).

20 **SECTION 144.** 77.61 (1) (ag) of the statutes is created to read:

21 77.61 (1) (ag) In this subsection, "Wisconsin retailer" means a retailer who
22 registers with the department to collect the taxes imposed under this subchapter and
23 subch. V.

24 **SECTION 145.** 77.61 (1) (b) of the statutes is amended to read:

1 77.61 (1) (b) In the case of a motor vehicle, aircraft, boat, or mobile home
2 purchased from a licensed Wisconsin ~~motor vehicle dealer~~ retailer, the registrant
3 shall present proof that the tax has been paid to such ~~dealer~~ retailer.

4 **SECTION 146.** 77.61 (1) (c) of the statutes is amended to read:

5 77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, mobile homes
6 not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles or aircraft
7 registered or titled, or required to be registered or titled, in this state purchased from
8 persons who are not Wisconsin ~~boat, trailer or semitrailer dealers, licensed~~
9 ~~Wisconsin aircraft, motor vehicle or mobile home dealers or registered Wisconsin~~
10 ~~snowmobile or all-terrain vehicle dealers~~ retailers, the purchaser shall file a sales
11 tax return and pay the tax prior to registering or titling the motor vehicle, boat,
12 snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer,
13 all-terrain vehicle or aircraft in this state.

14 **SECTION 147.** 77.61 (3) of the statutes is repealed.

15 **SECTION 148.** 77.61 (3m) of the statutes is created to read:

16 77.61 (3m) A retailer shall use a straight mathematical computation to
17 determine the amount of the tax that the retailer may collect from the retailer's
18 customers. The retailer shall calculate the tax amount by combining the applicable
19 tax rates under this subchapter and subch. V and multiplying the combined tax rate
20 by the sales price or purchase price of each item or invoice, as appropriate. The
21 retailer shall calculate the tax amount to the 3rd decimal place, disregard tax
22 amounts of less than 0.5 cent, and consider tax amounts of at least 0.5 cent but less
23 than 1 cent to be an additional cent. The use of a straight mathematical computation,
24 as provided in this subsection, shall not relieve the retailer from liability for payment
25 of the full amount of the tax levied under ss. 77.51 to 77.62.

1 **SECTION 149.** 77.61 (5m) of the statutes is created to read:

2 **77.61 (5m)** (a) In this subsection, “personally identifiable information” has the
3 meaning given in s. 19.62 (5).

4 (b) A certified service provider may use personally identifiable information as
5 necessary only for the administration of its system to perform a seller’s sales and use
6 tax functions and shall provide consumers clear and conspicuous notice of its practice
7 regarding such information, including how it collects the information, how it uses the
8 information, and under what circumstances it discloses the information.

9 (c) A certified service provider may retain personally identifiable information
10 only to verify exemption claims, to investigate fraud, and to ensure its system’s
11 reliability. A certified service provider who retains an individual’s personally
12 identifiable information shall provide reasonable notice of such retention to the
13 individual and shall provide the individual reasonable access to the information and
14 an opportunity to correct inaccurate information. If any person, other than a state
15 that is a signatory to the agreement, as defined in s. 77.65 (2) (a), requests access to
16 an individual’s personally identifiable information, the certified service provider
17 shall make a reasonable and timely effort to notify the individual of the request.

18 (d) A certified service provider shall provide sufficient technical, physical, and
19 administrative safeguards to protect personally identifiable information from
20 unauthorized access and disclosure.

21 **SECTION 150.** 77.61 (16) of the statutes is created to read:

22 **77.61 (16)** Any person who remits taxes and files returns under this subchapter
23 may designate a certified service provider to remit taxes and file returns with the
24 department in a manner prescribed by the department.

25 **SECTION 151.** 77.63 (1) (am) of the statutes is created to read:

1 77.63 (1) (am) A seller or certified service provider who uses a certified
2 automated system, as defined in s. 77.524 (1) (a), or software certified by the
3 department in accordance with the streamlined sales and use tax agreement to
4 collect the sales tax and use tax imposed under this subchapter may retain a portion
5 all such collected taxes in an amount determined by the department and by contracts
6 that the department enters into pursuant to the streamlined sales and use tax
7 agreement.

8 **SECTION 152.** 77.66 of the statutes is created to read:

9 **77.66 Amnesty for new registrants.** (1) A seller is not liable for uncollected
10 and unpaid taxes, including penalties and interest, imposed under this subchapter
11 and subch. V on sales made to purchasers in this state before the seller registers
12 under par. (a), if all of the following apply:

13 (a) The seller registers with the department, in a manner that the department
14 prescribes, to collect and remit the taxes imposed under this subchapter and subch.
15 V on sales to purchasers in this state in accordance with the agreement, as defined
16 in s. 77.65 (2) (a).

17 (b) The seller registers under par. (a) no later than 365 days after the effective
18 date of this state's participation in the agreement under s. 77.65 (2) (a) [revisor
19 inserts date].

20 (c) The seller was not registered to collect and remit the taxes imposed under
21 this subchapter and subch. V during the 365 consecutive days immediately before
22 the effective date of this state's participation in the agreement under s. 77.65 (2) (a)
23 [revisor inserts date].

24 (d) The seller has not received an audit notice from the department or from a
25 state that is a signatory to the agreement, as defined in s. 77.65 (2) (a), and is not

1 subject to an audit or involved in an appeal of an audit at the time that the seller
2 registers under par. (a).

3 (e) The seller is not under investigation for fraud or misrepresentation of a
4 material fact.

5 (f) The seller collects and remits the taxes imposed under this subchapter and
6 subch. V on sales to purchasers in this state for at least 3 consecutive years after the
7 date on which the seller registers under par. (a).

8 (2) Subsection (1) does not apply to taxes imposed under this subchapter and
9 subch. V that are due from the seller for purchases made by the seller.

10 (3) The statute of limitations for determining a tax liability under s. 77.59 (3)
11 shall not run during the 3 years described under sub. (1) (f).

12 **SECTION 153.** 77.70 of the statutes is amended to read:

13 **77.70 Adoption by county ordinance.** Any county desiring to impose county
14 sales and use taxes under this subchapter may do so by the adoption of an ordinance,
15 stating its purpose and referring to this subchapter. The county sales and use taxes
16 may be imposed only for the purpose of directly reducing the property tax levy and
17 only in their entirety as provided in this subchapter. That ordinance shall be
18 effective on the first day of January, the first day of April, the first day of July or the
19 first day of October. A certified copy of that ordinance shall be delivered to the
20 secretary of revenue at least 120 days prior to its effective date. The repeal of any
21 such ordinance shall be effective on December 31. A certified copy of a repeal
22 ordinance shall be delivered to the secretary of revenue at least ~~60~~ 120 days before
23 the effective date of the repeal.

24 **SECTION 154.** 77.705 of the statutes is amended to read:

1 **77.705 Adoption by resolution; baseball park district.** A local
2 professional baseball park district created under subch. III of ch. 229, by resolution
3 under s. 229.68 (15), may impose a sales tax and a use tax under this subchapter at
4 a rate of no more than 0.1% of the gross receipts or sales price. Those taxes may be
5 imposed only in their entirety. The resolution shall be effective on the first day of the
6 ~~first month~~ January 1, April 1, July 1, or October 1 that begins at least ~~30~~ 120 days
7 after the adoption of the resolution.

8 **SECTION 155.** 77.706 of the statutes is amended to read:

9 **77.706 Adoption by resolution; football stadium district.** A local
10 professional football stadium district created under subch. IV of ch. 229, by
11 resolution under s. 229.824 (15), may impose a sales tax and a use tax under this
12 subchapter at a rate of 0.5% of the gross receipts or sales price. Those taxes may be
13 imposed only in their entirety. The imposition of the taxes under this section shall
14 be effective on the first day of the ~~first month~~ January 1, April 1, July 1, or October
15 1 that begins at least ~~30~~ 120 days after the certification of the approval of the
16 resolution by the electors in the district's jurisdiction under s. 229.824 (15).

17 **SECTION 156.** 77.707 (1) of the statutes is amended to read:

18 **77.707 (1)** Retailers and the department of revenue may not collect a tax under
19 s. 77.705 for any local professional baseball park district created under subch. III of
20 ch. 229 after the last day of the calendar quarter during that is at least 120 days from
21 the date on which the local professional baseball park district board makes a
22 certification to the department of revenue under s. 229.685 (2), except that the
23 department of revenue may collect from retailers taxes that accrued before the day
24 after the last day of that calendar quarter and fees, interest and penalties that relate
25 to those taxes.

1 **SECTION 157.** 77.707 (2) of the statutes is amended to read:

2 77.707 (2) Retailers and the department of revenue may not collect a tax under
3 s. 77.706 for any local professional football stadium district created under subch. IV
4 of ch. 229 after the last day of the calendar quarter during that is at least 120 days
5 from the date on which the local professional football stadium district board makes
6 all of the certifications to the department of revenue under s. 229.825 (3), except that
7 the department of revenue may collect from retailers taxes that accrued before the
8 day after the last day of that calendar quarter and fees, interest and penalties that
9 relate to those taxes.

10 **SECTION 158.** 77.71 (1) of the statutes is amended to read:

11 77.71 (1) For the privilege of selling, licensing, leasing or renting tangible
12 personal property and for the privilege of selling, performing or furnishing services
13 a sales tax is imposed upon retailers at the rate of 0.5% in the case of a county tax
14 or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the ~~gross~~
15 ~~receipts~~ sales price from the sale, licensing, lease or rental of tangible personal
16 property, except property taxed under sub. (4), sold, licensed, leased or rented at
17 retail in the county or special district or from selling, performing or furnishing
18 services described under s. 77.52 (2) in the county or special district.

19 **SECTION 159.** 77.71 (2) of the statutes is amended to read:

20 77.71 (2) An excise tax is imposed at the rate of 0.5% in the case of a county tax
21 or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the ~~sales~~
22 purchase price upon every person storing, using or otherwise consuming in the
23 county or special district tangible personal property or services if the property or
24 service is subject to the state use tax under s. 77.53, except that a receipt indicating
25 that the tax under sub. (1), (3) or (4) has been paid relieves the buyer of liability for

1 the tax under this subsection and except that if the buyer has paid a similar local tax
2 in another state on a purchase of the same property or services that tax shall be
3 credited against the tax under this subsection and except that for motor vehicles that
4 are used for a purpose in addition to retention, demonstration or display while held
5 for sale in the regular course of business by a dealer the tax under this subsection
6 is imposed not on the sales purchase price but on the amount under s. 77.53 (1m).

7 **SECTION 160.** 77.71 (3) of the statutes is amended to read:

8 77.71 (3) An excise tax is imposed upon a contractor engaged in construction
9 activities within the county or special district, at the rate of 0.5% in the case of a
10 county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax
11 of the sales purchase price of tangible personal property that is used in constructing,
12 altering, repairing or improving real property and that becomes a component part
13 of real property in that county or special district, except that if the contractor has
14 paid the sales tax of a county in the case of a county tax or of a special district in the
15 case of a special district tax in this state on that property, or has paid a similar local
16 sales tax in another state on a purchase of the same property, that tax shall be
17 credited against the tax under this subsection.

18 **SECTION 161.** 77.71 (4) of the statutes is amended to read:

19 77.71 (4) An excise tax is imposed at the rate of 0.5% in the case of a county tax
20 or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the sales
21 purchase price upon every person storing, using or otherwise consuming a motor
22 vehicle, boat, ~~snowmobile~~, mobile home not exceeding 45 feet in length, ~~trailer,~~
23 ~~semitrailer, all-terrain vehicle~~ or aircraft, if that property must be registered or
24 titled with this state and if that property is to be customarily kept in a county that
25 has in effect an ordinance under s. 77.70 or in a special district that has in effect a

1 resolution under s. 77.705 or 77.706, except that if the buyer has paid a similar local
2 sales tax in another state on a purchase of the same property that tax shall be
3 credited against the tax under this subsection.

4 **SECTION 162.** 77.72 (title) of the statutes is repealed.

5 **SECTION 163.** 77.72 (1) of the statutes is renumbered 77.72 and amended to
6 read:

7 **77.72 General rule for property.** For the purposes of this subchapter, all
8 retail sales of tangible personal property are completed ~~at the time when, and the~~
9 ~~place where, the seller or the seller's agent transfers possession to the buyer or the~~
10 ~~buyer's agent. In this subsection, a common carrier or the U.S. postal service is the~~
11 ~~agent of the seller, regardless of any f.o.b. point and regardless of the method by~~
12 ~~which freight or postage is paid. Rentals and leases of property, except property~~
13 ~~under sub. (2), have a situs at the location of that property as provided in s. 77.522.~~

14 **SECTION 164.** 77.72 (2) and (3) of the statutes are repealed.

15 **SECTION 165.** 77.77 (1) of the statutes is amended to read:

16 **77.77 (1)** The ~~gross receipts~~ sales price from services subject to the tax under
17 s. 77.52 (2) ~~are~~ is not subject to the taxes under this subchapter, and the incremental
18 amount of tax caused by a rate increase applicable to those services is not due, if those
19 services are billed to the customer and paid for before the effective date of the county
20 ordinance, special district resolution or rate increase, whether the service is
21 furnished to the customer before or after that date.

22 **SECTION 166.** 77.785 (1) of the statutes is amended to read:

23 **77.785 (1)** All retailers shall collect and report the taxes under this subchapter
24 on the ~~gross receipts~~ sales price from leases and rentals of property under s. 77.71
25 (4).

1 **SECTION 167.** 77.785 (2) of the statutes is amended to read:

2 77.785 (2) Prior to registration or titling, a retailer of a boat, all-terrain vehicle,
3 ~~trailer and semi-trailer dealers and licensed aircraft, motor vehicle, or mobile home~~
4 ~~and snowmobile dealers~~ shall collect the taxes under this subchapter on sales of
5 items under s. 77.71 (4). The ~~dealer~~ retailer shall remit those taxes to the
6 department of revenue along with payments of the taxes under subch. III.

7 **SECTION 168.** 77.98 of the statutes is amended to read:

8 **77.98 Imposition.** A local exposition district under subch. II of ch. 229 may
9 impose a tax on the retail sale, except sales for resale, within the district's
10 jurisdiction under s. 229.43 of products that are subject to a tax under s. 77.54 (20)
11 (c) 1. to 3., 2001 stats., and not exempt from the sales tax under s. 77.54 (1), 2001
12 stats., s. 77.54 (4), 2001 stats., s. 77.54 (7) (a), 2001 stats., s. 77.54 (7m), 2001 stats.,
13 s. 77.54 (9), 2001 stats., s. 77.54 (9a), 2001 stats., or s. 77.54 (20) (c) 5., 2001 stats.

14 **SECTION 169.** 77.981 of the statutes is amended to read:

15 **77.981 Rate.** The tax under s. 77.98 is imposed on the sale of taxable products
16 at the rate of 0.25% of the ~~gross receipts~~ sales price, except that the district, by a vote
17 of a majority of the authorized members of its board of directors, may impose the tax
18 at the rate of 0.5% of the ~~gross receipts~~ sales price. A majority of the authorized
19 members of the district's board may vote that, if the balance in a special debt service
20 reserve fund of the district is less than the requirement under s. 229.50 (5), the tax
21 rate under this subchapter is 0.5%. The 0.5% rate shall be effective on the next
22 January 1, April 1, July 1 or October 1, and this tax is irrepealable if any bonds issued
23 by the district and secured by the special debt service reserve fund are outstanding.

24 **SECTION 170.** 77.982 (2) of the statutes is amended to read:

1 77.982 (2) Sections 77.51 (4) ~~(a), (b) 1., 2. and 4., (c) 1. to 3. and (d)~~, (14) (a) to
2 (f), ~~(j)~~ and (k) ~~and~~, (14g), and (15a), 77.52 (3), ~~(6)~~, (13), (14), (18), and (19), 77.522,
3 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14), and 77.62,
4 as they apply to the taxes under subch. III, apply to the tax under this subchapter.
5 Sections 77.72 (1) and 77.73, as they apply to the taxes under subch. V, apply to the
6 tax under this subchapter.

7 **SECTION 171.** 77.99 of the statutes is amended to read:

8 **77.99 Imposition.** A local exposition district under subch. II of ch. 229 may
9 impose a tax at the rate of 3% of the ~~gross receipts~~ sales price on the rental, but not
10 for rerental and not for rental as a service or repair replacement vehicle, within the
11 district's jurisdiction under s. 229.43, of Type 1 automobiles, as defined in s. 340.01
12 (4) (a), by establishments primarily engaged in short-term rental of passenger cars
13 without drivers, for a period of 30 days or less, unless the sale is exempt from the sales
14 tax under s. 77.54 (1), (4), (7) (a), (7m), (9) or (9a). If the state makes a payment under
15 s. 229.50 (7) to a district's special debt service reserve fund, a majority of the district's
16 authorized board of directors may vote to increase the tax rate under this subchapter
17 to 4%.

18 **SECTION 172.** 77.991 (2) of the statutes is amended to read:

19 77.991 (2) Sections 77.51 (4) ~~(a), (b) 1., 2. and 4., (c) 1. to 3. and (d)~~ and (14) (a)
20 to (f), ~~(j)~~, and (k) and (15a), 77.52 (4), ~~(6)~~, (13), (14), and (18), 77.58 (1) to (5) and (7),
21 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14), and 77.62, as they apply to the
22 taxes under subch. III, apply to the tax under this subchapter. Sections 77.72 (1),
23 2001 stats., and 77.72 (2) (a), 2001 stats., and s. 77.73, as they apply to the taxes
24 under subch. V, apply to the tax under this subchapter. The renter shall collect the
25 tax under this subchapter from the person to whom the passenger car is rented.

1 **SECTION 173.** 77.994 (1) (intro.) of the statutes is amended to read:

2 77.994 (1) (intro.) Except as provided in sub. (2), a municipality or a county all
3 of which is included in a premier resort area under s. 66.1113 may, by ordinance,
4 impose a tax at a rate of 0.5% of the ~~gross receipts~~ sales price from the sale, license,
5 lease, or rental in the municipality or county of goods or services that are taxable
6 under subch. III made by businesses that are classified in the standard industrial
7 classification manual, 1987 edition, published by the U.S. office of management and
8 budget, under the following industry numbers:

9 **SECTION 174.** 77.9941 (4) of the statutes is amended to read:

10 77.9941 (4) Section 77.59 (9p) (b), as it applies to the taxes under subch. III,
11 applies to the tax under this subchapter. Sections 77.72 (1), 2001 stats., 77.72 (2) (a),
12 2001 stats., and 77.72 (3) (a), 2001 stats., and ss. 77.73, 77.74, 77.75, 77.76 (1), (2),
13 and (4), 77.77 (1) and (2), 77.785 (1), and 77.79, as they apply to the taxes under
14 subch. V, apply to the tax under this subchapter.

15 **SECTION 175.** 77.995 (2) of the statutes is amended to read:

16 77.995 (2) There is imposed a fee at the rate of 3%, or 5% for the rental of
17 limousines, of the ~~gross receipts~~ sales price on the rental, but not for rerental and not
18 for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined
19 in s. 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of motor homes, as
20 defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by
21 establishments primarily engaged in short-term rental of vehicles without drivers,
22 for a period of 30 days or less, unless the sale is exempt from the sales tax under s.
23 77.54 (1), (4), (7) (a), (7m) or (9a).

24 **SECTION 176.** 77.9951 (2) of the statutes is amended to read:

1 77.9951 (2) Sections 77.51 (4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) and (14)
2 (a) to (f), (j), and (k) and (15a), 77.52 (4), ~~(6)~~, (13), (14), and (18), 77.58 (1) to (5) and
3 (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14), and 77.62, as they apply to
4 the taxes under subch. III, apply to the fee under this subchapter. The renter shall
5 collect the fee under this subchapter from the person to whom the vehicle is rented.

6 **SECTION 177.** 86.195 (3) (b) 3. of the statutes is amended to read:

7 86.195 (3) (b) 3. Fifty percent of the gross receipts of the business are from ~~meal,~~
8 feed, the sale of food product and beverage sales and food ingredients, as defined in
9 s. 77.51 (3t), that are taxable under s. 77.54 (20) (c) subch. III of ch. 77; and

10 **SECTION 178.** 218.0171 (2) (cq) of the statutes is amended to read:

11 218.0171 (2) (cq) Upon payment of a refund to a consumer under par. (b) 2. b.,
12 the manufacturer shall provide to the consumer a written statement that specifies
13 the trade-in amount previously applied under s. 77.51 (4) (b) 3. ~~or 3m. or (15) (b) 4.~~
14 ~~or 4m. (12m) (b) 5. or 6. or (15a) (b) 5. or 6.~~ toward the sales price of the motor vehicle
15 having the nonconformity and the date on which the manufacturer provided the
16 refund.

17 **SECTION 9145. Nonstatutory provisions; revenue.**

18 (1) THE STREAMLINED SALES AND USE TAX AGREEMENT. The department of revenue
19 shall notify the revisor of statutes of the effective date of this state's participation in
20 the streamlined sales and use tax agreement, as described in section 77.65 of the
21 statutes, no later than 30 days after such effective date is determined.

22 **SECTION 9245. Appropriation changes; revenue.**

23 (1) ADMINISTRATIVE COSTS RELATED TO THE STREAMLINED SALES AND USE TAX
24 AGREEMENT. In the schedule under section 20.005 (3) of the statutes for the
25 appropriation to the department of revenue under section 20.566 (1) (a) of the

1 statutes, as affected by the acts of 2003, the dollar amount is increased by \$25,000
2 for fiscal year 2003–04 and the dollar amount is increased by \$25,000 for fiscal year
3 2004–05 to pay for administrative costs related to the streamlined sales and use tax
4 agreement.

5 **SECTION 9445. Effective dates; revenue.**

6 (1) IMPLEMENTING THE STREAMLINED SALES AND USE TAX AGREEMENT. The repeal
7 of sections 77.51 (4), 77.51 (14) (d), 77.51 (14) (j), 77.51 (14r), 77.51 (15), 77.52 (6),
8 77.52 (14) (a) 2., 77.523 (title), 77.53 (4), 77.54 (14g), 77.54 (14s), 77.54 (20), 77.54
9 (20m), 77.54 (22), 77.54 (28), 77.54 (40), 77.61 (3), 77.72 (title), and 77.72 (2) and (3)
10 of the statutes, the renumbering of sections 77.51 (1), 77.524 (1) (b), and 77.61 (1) (a)
11 of the statutes, the renumbering and amendment of sections 77.52 (1), 77.523, and
12 77.72 (1) of the statutes, the consolidation, renumbering, and amendment of section
13 77.52 (14) (a) (intro.) and 1. and (b) of the statutes, the amendment of sections
14 66.0615 (1m) (f) 2., 70.111 (23), 73.03 (50) (d), 76.07 (4g) (b) 8., 77.51 (13) (o), 77.51
15 (14) (intro.), 77.51 (17), 77.51 (20), 77.51 (21), 77.52 (2) (intro.), 77.52 (2) (a) 10., 77.52
16 (7), 77.52 (13), 77.52 (15), 77.53 (1), 77.53 (9), 77.53 (9m), 77.53 (10), 77.53 (11), 77.53
17 (16), 77.53 (17), 77.53 (17m), 77.53 (17r) (a), 77.53 (18), 77.54 (1), 77.54 (2), 77.54
18 (2m), 77.54 (3) (a), 77.54 (3m) (intro.), 77.54 (4), 77.54 (5) (intro.), 77.54 (6) (intro.),
19 77.54 (8), 77.54 (9), 77.54 (9a) (intro.), 77.54 (10), 77.54 (11), 77.54 (12), 77.54 (13),
20 77.54 (14) (intro.), 77.54 (14) (a), 77.54 (14) (b), 77.54 (14) (f), 77.54 (15), 77.54 (16),
21 77.54 (17), 77.54 (18), 77.54 (21), 77.54 (23m), 77.54 (25), 77.54 (26), 77.54 (26m),
22 77.54 (27), 77.54 (29), 77.54 (30) (a) (intro.), 77.54 (30) (c), 77.54 (31), 77.54 (32), 77.54
23 (33), 77.54 (34), 77.54 (35), 77.54 (36), 77.54 (37), 77.54 (38), 77.54 (39), 77.54 (41),
24 77.54 (42), 77.54 (43), 77.54 (44), 77.54 (45), 77.54 (46), 77.54 (46m), 77.55 (1) (intro.),
25 77.55 (2), 77.55 (2m), 77.55 (3), 77.56 (1), 77.57, 77.58 (3) (b), 77.58 (6), 77.59 (9), 77.61

1 (1) (b), 77.61 (1) (c), 77.70, 77.705, 77.706, 77.707 (1), 77.707 (2), 77.71 (1), 77.71 (2),
2 77.71 (3), 77.71 (4), 77.77 (1), 77.785 (1), 77.785 (2), 77.98, 77.981, 77.982 (2), 77.99,
3 77.991 (2), 77.994 (1) (intro.), 77.9941 (4), 77.995 (2), 77.9951 (2), 86.195 (3) (b) 3., and
4 218.0171 (2) (eq) of the statutes, the repeal and recreation of section 77.51 (7) of the
5 statutes, and the creation of sections 73.03 (50b), 73.03 (59), 77.51 (1b), 77.51 (1e),
6 77.51 (1n), 77.51 (1p), 77.51 (2k), 77.51 (2m), 77.51 (3p), 77.51 (3pd), 77.51 (3pj), 77.51
7 (3pm), 77.51 (3pp), 77.51 (3t), 77.51 (7m), 77.51 (10m), 77.51 (10n), 77.51 (10r), 77.51
8 (11m), 77.51 (12m), 77.51 (12p), 77.51 (13s), 77.51 (15a), 77.51 (17w), 77.51 (22) (bm),
9 77.51 (21p), 77.52 (1) (b), 77.52 (1) (c), 77.52 (7b), 77.522, 77.54 (20n), 77.54 (22b),
10 77.58 (6m), 77.585, 77.59 (2m), 77.59 (9n), 77.59 (9p) (b), 77.59 (9r), 77.60 (13), 77.61
11 (1) (ag), 77.61 (3m), 77.61 (5m), 77.61 (16), 77.63 (1) (am), and 77.66 of the statutes
12 take effect on the first day of the 3rd month beginning after publication.

13 (END)